

**EXHIBITS TO AFFIDAVIT OF OWEN F. DUFFY**

**EXHIBIT 7**

To: Hong Kong Fuchuen Company Limited AND  
Fuchuen Dihai Shipping Co Ltd

Further to our letter of 28 April 2005 and your fax of 21 July 2005, we believe that both parties have not reached any agreement or common view regarding to the arbitration dispute of M.V. ALINA.

Although we continuously believe that the suggestions we stated in our letter of 28 April 2005 were practicable, reasonable and constructive for both parties' points of view, unfortunately you did not fully accept our suggestions in your fax of 21 July 2005 apart from the acceptance of terminating the arbitration process. You did not mention the result of acceptance of other additional conditions. Therefore, we believe that you did not agree to all the conditions laid down in our letter of 28 April 2005.

We feel deeply regrettable that you continuously ignored us despite that we attempted to communicate with various relevant persons in your company last year and this year and stated our positions/view on a number of occasions. Therefore, we have decided that we would re-open the arbitration procedure as regarding M.V. ALINA with effect from today.

We hereby serve you this notice.

Transfield ER Cape Limited (*company seal*)

7 March 2006



This translation accurately reflects the meaning of the attached original.

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致： 香港富春有限公司并富春帝海船务有限公司

接我司 2005 年 4 月 28 日所发函及贵司同年 7 月 21 日所覆传真，我认为双方一直未能就“ALINA”轮有关仲裁争议达成任何协议及共识。

虽然我司一直认为我司 05 年 4 月 28 日函中所提建议对双方都是可行，合理及极具建设性的，惜你司在 05 年 7 月 21 日所覆函中并未对我司提议全面接受，只提到可以接受终止仲裁，并未提及其它附带条件的接受结果，因此我认为你方并不赞同我司 05 年 4 月 28 日函中的所有条件。

尽管我司在去年及今年随后时间中与你司有关人员多方联系，并多次阐明了我司立场，惜你方一直置之不理，我司对此深表遗憾，因此我司决定由即日起重新启动与贵司的“ALINA”轮的仲裁程序。

特此知会。



2006 年 3 月 7 日

TO: FUCHUN

MIN: 經理